

978.1  
Sub  
Date

978.1

Su6

~~per m~~

The case against Nazism

**UNIVERSITY OF ILLINOIS  
LIBRARY**

Class

Book

Volume

Ja 09-20M

9781  
Sub C  
P.M.

## THE CRIME AGAINST KANSAS.

# SPEECH OF HON. CHAS. SUMNER,

OF MASSACHUSETTS,

IN THE SENATE OF THE UNITED STATES, MAY 9th, 1856.

MONDAY, May 19, 1856.

MR. PRESIDENT: You are now called to redress a great transgression. Seldom in the history of nations has such a question been presented. Tariffs, army bills, navy bills, land bills, are important, and justly occupy your care; but these all belong to the course of ordinary legislation. As means and instruments only, they are necessarily subordinate to the conservation of government itself. Grant them or deny them, in greater or less degree, and you will inflict no wrong.

The machinery of government will continue to move. The State will not cease to exist, nor otherwise is it with the eminent question before you, involving, as it does, liberty, broad territory, and also involving the honor of the whole country with our good name for evermore.

Look down your map, sir, and you will find the territory of Kansas, more than any other region, occupies the middle spot of North America, equally distant from the Atlantic on the east, and the Pacific on the west; from the frontiers of Hudson's Bay on the north, and the torrid gulf stream on the south, constituting the precise territorial centre of the whole vast continent. To such advantage of situation, on so high a highway between two oceans, are added unsurpassed richness, and a fascinating, commanding beauty of surface, with a health-giving climate, calculated to nurture a powerful and勇敢 people, worthy to be a central pivot of American institutions.

A few short months only have passed since this spacious mediterranean country was open to the savage, who ran wild in its woods and prairies; and now it has already drawn to it a population of freemen larger than all Europe, crowded within her historic gates, when Lacedaemon, under Miltiades, won liberty for mankind in the field of Marathon; more than Sparta contained when she ruled Greece, and sent forth her devoted children, quickened by a mother's benediction, to return with their shields or on them; more than Rome, gathered on her seven hills, when, under her Kings, she commenced that sovereign sway, which afterwards embraced the whole earth; more than London held, when, on the fields of Crecy and Agincourt, the English banner was carried victoriously over the chivalrous hosts of France.

Against this territory, thus fortunate in position and population, a crime has been committed, which is without example in the records of the past. Not in plundering provinces, nor in the cruelties of selfish governors will you find its parallel; and yet there is an ancient instance which may show at least the path of justice. In the terrible impeachment by which the great Roman Orator has blasted through all time the name of Verres, amidst charges of robbery and sacrilege, the enormity which most aroused the indignant voice of his accuser, and which still stands forth with strongest distinctness, arresting the sympathetic indignation of all who read the story, is, that away in Sicily he had scourged a citizen of Rome—that the cry—“I am a Roman citizen,” had been interposed in vain against the lash of the tyrant governor. Other charges were, that he had carried away productions of art, and that he had violated the sacred shrines.

It was in the presence of the Roman Senate that this arraignment proceeded; in a temple of the Forum, amidst crowds—such as no orator had ever before drawn together—thronging the porticos and colonnades, even clinging to the house-tops and neighboring slopes—and under the anxious gaze of witnesses summoned from the scene of crime. But an audience grander far—of higher dignity—of more various people, and of wider intelligence—the countless multitude of succeeding generations, in every land where eloquence has been studied or where the Roman name has been recognized—has listened to the accusation, and throbbed with condemnation of the criminal.

Sir, speaking in an age of light, and in a land of constitutional liberty, where the safeguards of elections are justly placed among the highest triumphs of civilization, I fearlessly assert that the wrongs of much abused Sicily, thus memorable in history, were small by the side of the wrongs of Kansas, where the very shrines of popular institutions, more sacred than any heathen altar, have been desecrated; where the ballot-box, more precious than any work, in ivory or marble, from the cunning hand of art, has been plundered; and where the cry, “I am an American citizen,” has been interposed in vain against outrage of every kind, even upon life itself. Are you against sacrilege? I present it for your examination.

cration. Are you against robbery? I hold it up to your scorn. Are you for the protection of American citizens? I show you how their dearest rights have been cloven down, while a tyrannical power has sought to install itself on their

heads which I now begin to expose, immensely aggravated by the motive which prompted it. Not in any common lust for power did this uncommon tragedy have its origin. It is the rape of a virgin territory, compelling it to the hateful embrace of slavery; and it may be clearly traced to a depraved longing for a new slave State, the hideous offspring of such a crime, in the hope of adding to the power of slavery in the national government. Yes, sir; when the whole world, alike Christian and Turk, is rising up to condemn this wrong, and to make it a hissing to the nations, here in our republic, force, aye, sir, FORCE—has been openly employed in compelling Kansas to the pollution of slavery, all for the sake of political power. There is a simple fact, which you will vainly attempt to deny, but which in itself presents an essential wickedness that makes other public crimes seem like public virtues.

But this enormity, vast beyond comparison, swells to dimensions of wickedness which the imagination toils in vain to grasp, when it is understood that for this purpose are hazarded the horrors of intestine feud, not only in this distant territory, but everywhere throughout the country. Already the muster has begun. The strife is no longer local, but national. Even now, while I speak, portents hang on all the arches of the horizon, threatening to darken the broad land, which already yawns with the mutterings of civil war.

The fury of the propagandists of slavery, and the calm determination of their opponents, are now diffused from the distant territory over wide-spread communities, and the whole country, in all its extent—marshalling hostile divisions, and foreshadowing a strife, which, unless happily averted by the triumph of Freedom, will become war—fratricidal, parricidal war—with an accumulated wickedness beyond the wickedness of any war in human annals; justly provoking the avenging judgment of Providence and the avenging pen of history, and constituting a strife, in the language of the ancient writer, more than *foreign*, more than *social*, more than *civil*; but something compounded of all these strifes, and in itself more than war; *sed potius commune quoddam ex omnibus et plus quam bellum.*

Such is the crime which you are to judge. But the criminal must also be dragged into day, that you may see and measure the power by which all this wrong is sustained. From no common source could it proceed. In its perpetration was needed a spirit of vaulting ambition which would hesitate at nothing; a hardihood of purpose which was insensible to the judgments of mankind; a madness for slavery which should disregard the Constitution, the laws, and all the great examples of our history; also a consciousness of power such as comes from the habit of power; a combination of energies found only in a hundred arms directed by a hundred eyes; a control of public opinion, through venal pens and a prostituted press; an ability to subsidize crowds in every vocation of life—the politician with his local importance, the lawyer with his subtle

tongue, and even the authority of the judge on the bench; and a familiar use of men in places high and low, so that none, from the President to the lowest border post-master, should decline to be its tool; all these things and more were needed; and they were found in the slave power of our republic. There, sir, stands the criminal—all unmasked before you—heartless, grasping, and tyrannical—with an audacity beyond that of Verres, a subtlety beyond that of Machiavel, a meanness beyond that of Bacon, and an ability beyond that of Hastings. Justice to Kansas can be secured only by the prostration of this influence; for this is the power behind—greater than any President—which succors and sustains the crime. Nay, the proceedings I now arraign derive their fearful consequence only from this connection.

I am now opening this great matter, I am not insensible to the austere demands of the occasion; but the dependence of the crime against Kansas upon the slave power is so peculiar and important, that I trust to be pardoned while I impress it by an illustration, which to some may seem trivial. It is related in Northern mythology, that the god of Force, visiting an enchanted region, was challenged by his royal entertainer to what seemed a humble feat of strength, merely, sir, to lift a cat from the ground. The god smiled at the challenge, and, calmly placing his hand under the belly of the animal, with superhuman strength, strove, while the back of the feline monster arched far upwards, even beyond reach, and one paw actually forsook the earth, until at last the discomfited divinity desisted; but he was little surprised at his defeat, when he learned that this creature, which seemed to be a cat and nothing more, was not merely a cat, but that it belonged to and was a part of the great Terrestrial Serpent which, in its innumerable folds, encircled the whole globe. Even so the creature whose paws are now fastened upon Kansas, whatever it may seem to be, constitutes in reality a part of the slave power, which, with loathsome folds, is now coiled about the whole land. Thus do I expose the extent of the present contest, where we encounter not merely local resistance, but also the unconquered, sustaining arm behind. But out of the vastness of the crime attempted, with all its woe and shame, I derive a well-founded assurance of a commensurate vastness of effort against it, by the aroused masses of the country, determined, not only to vindicate right against wrong, but to redeem the Republic from the thraldom of that oligarchy which prompts, directs, and concentrates the distant wrong.

Such is the crime, and such the criminal, which it is my duty in this debate to expose, and, by the blessing of God, this duty shall be done completely to the end. But this will not be enough. The apologies, which, with strange hardihood, have been offered for the crime, must be brushed away, so that it shall stand forth, without a single rag, or fig-leaf, to cover its vileness. And, finally, the true remedy must be shown. The subject is complex in its relations as it is transcendent in importance; and yet, if I am honored by your attention, I hope to exhibit it clearly in all its parts, while I conduct you to the inevitable conclusion, that Kansas must be admitted at once, with her present constitution, as a State of this Union, and give a new star to the blue field of our national flag.

And here I derive satisfaction from the thought that the cause is so strong in itself as to bear even the infirmities of its advocates; nor can it require anything beyond that simplicity of treatment and moderation of manner which I desire to cultivate. Its true character is such, that, like Hercules, it will conquer just so soon as it is recognized.

My task will be divided under three different heads; *first*, THE CRIME AGAINST KANSAS, in its origin and extent; *secondly*, THE APOLOGIES FOR THE CRIME; and, *thirdly*, THE TRUE REMEDY.

But, before entering upon the argument, I must say something of a general character, particularly in response to what has fallen from Senators who have raised themselves to eminence on this floor in championship of human wrongs; I mean the Senator from South Carolina, [Mr. BUTLER,] and the Senator from Illinois, [Mr. DOUGLAS,] who, though unlike as Don Quixote and Sancho Panza, yet, like this couple, sally forth together in the same cause. The Senator from South Carolina has read many books of chivalry, and believes himself a chivalrous knight, with sentiments of honor and courage. Of course he has chosen a mistress to whom he has made his vows, and who, though ugly to others, is always lovely to him; though polluted in the sight of the world, is chaste in his sight—I mean the harlot, Slavery. For her, his tongue is always profuse in words. Let her be impeached in character, or any proposition made to shut her out from the extension of her wantonness, and no extravagance of manner or hardihood of assertion is then too great for this Senator. The frenzy of Don Quixote, in behalf of his wench Dulcinea del Toboso, is all surpassed. The asserted rights of Slavery, which shock equality of all kinds, are cloaked by a fantastic claim of equality. If the slave States cannot enjoy what, in mockery of the great fathers of the Republic, he misnames equality under the Constitution—in other words, the full power in the National Territories to compel fellowmen to unpaid toil, to separate husband and wife, and to sell little children at the auction-block—then, sir, the chivalric Senator will conduct the State of South Carolina out of the Union! Heroic knight! Exalted Senator! A second Moses come for a second exodus!

But not content with this poor menace, which we have been twice told was "measured," the Senator, in the unrestrained chivalry of his nature, has undertaken to apply opprobrious words to those who differ from him on this floor. He calls them "sectional and fanatical;" and opposition to the usurpation in Kansas, he denounces as "an uncalculating fanaticism." To be sure, these charges lack all grace of originality, and all sentiment of truth; but the adventurous Senator does not hesitate. He is the uncompromising, unblushing representative on this floor of a flagrant *sectionalism*, which now domineers over the Republic, and yet with a ludicrous ignorance of his own position—unable to see himself as others see him—or with an effrontery which even his white head ought not to protect from rebuke, he applies to those here who resist his *sectionalism* the very epithet which designates himself. The men who strive to bring back the Government to its original policy, when Freedom and not Slavery was national, while Slavery and not Freedom was sectional, he arraigns as *sectional*. This will not do. It in-

volves too great a perversion of terms. I tell that Senator, that it is to himself, and to the "organization" of which he is the "committed advocate," that this epithet belongs. I now fasten it upon them. For myself, I care little for names; but since the question has been raised here, I affirm that the Republican party of the Union is in no just sense *sectional*, but, more than any other party, *national*; and that it now goes forth to dislodge from the high places of the Government the tyrannical *sectionalism* of which the Senator from South Carolina is one of the maddest zealots.

To the charge of fanaticism I also reply. Sir, fanaticism is found in an enthusiasm or exaggeration of opinions, particularly on religious subjects; but there may be a fanaticism for evil as well as for good. Now, I will not deny, that there are persons among us loving Liberty too well for their personal good, in a selfish generation. Such there may be, and, for the sake of their example, would that there were more! In calling them "fanatics," you cast contumely upon the noble army of martyrs, from the earliest day down to this hour; upon the great tribunes of human rights, by whom life, liberty, and happiness, on earth, have been secured; upon the long line of devoted patriots, who, throughout history, have truly loved their country; and, upon all who, in noble aspirations for the general good, and in forgetfulness of self, have stood out before their age, and gathered into their generous bosoms the shafts of tyranny and wrong, in order to make a pathway for Truth. You discredit Luther, when alone he nailed his articles to the door of the church at Wittenberg, and then, to the imperial demand that he should retract, firmly replied, "Here I stand: I cannot do otherwise, so help me God!" You discredit Hampden, when alone he refused to pay the few shillings of ship-money, and shook the throne of Charles I.; you discredit Milton, when, amidst the corruptions of a heartless Court, he lived on, the lofty friend of Liberty, above question or suspicion; you discredit Russell and Sidney, when, for the sake of their country, they calmly turned from family and friends, to tread the narrow steps of the scaffold; you discredit the early founders of American institutions, who preferred the hardships of a wilderness, surrounded by a savage foe, to injustice on beds of ease; you discredit our later fathers, who, few in numbers and weak in resources, yet strong in their cause, did not hesitate to brave the mighty power of England, already encircling the globe with her morning drum-beats. Yes, sir, of such are the fanatics of history, according to the Senator. But I tell that Senator, that there are characters badly eminent, of whose fanaticism there can be no question. Such were the ancient Egyptians, who worshipped divinities in brutish forms; the Druids, who darkened the forests of oak, in which they lived, by sacrifices of blood; the Mexicans, who surrendered countless victims to the propitiation of their obscene idols; the Spaniards, who, under Alva, sought to force the Inquisition upon Holland, by a tyranny kindred to that now employed to force Slavery upon Kansas; and such were the Algerines, when in solemn conclave, after listening to a speech not unlike that of the Senator from South Carolina, they resolved to continue the slavery of white Christians, and to extend it to the countrymen of Washington! Aye, sir,

extend it! And in this same dreary catalogue, faithful history must record all who now, in an enlightened age, and in a land of boasted Freedom, stand up, in perversion of the Constitution, and in denial of immortal truth, to fasten a new shackle upon their fellow-man. If the Senator wishes to see fanatics, let him look round among his own associates; let him look at himself.

But I have not done with the Senator. There is another matter regarded by him of such consequence, that he interpolated it into the speech of the Senator from New Hampshire, [Mr. HALE,] and also announced that he had prepared himself with it, to take in his pocket all the way to Boston, when he expected to address the people of that community. On this account, and for the sake of truth, I stop for one moment, and tread it to the earth. The North, according to the Senator, was engaged in the slave trade, and helped to introduce slaves into the Southern States; and this undeniable fact he proposed to establish by statistics, in stating which his errors surpassed his sentences in number. But I let these pass for the present, that I may deal with his argument. Pray, sir, is the acknowledged turpitude of a departed generation to become an example for us? And yet the suggestion of the Senator, if entitled to any consideration in this discussion, must have this extent. I join my friend from New Hampshire in thanking the Senator from South Carolina for adducing this instance; for it gives me an opportunity to say, that the Northern merchants, with homes in Boston, Bristol, Newport, New York, and Philadelphia, who catered for Slavery during the years of the slave trade, are the lineal progenitors of the Northern men, with homes in these places, who lend themselves to Slavery in our day; and especially that all, whether North or South, who take part, directly or indirectly, in the conspiracy against Kansas, do but continue the work of the slave-traders, which you condemn. It is true, too true, alas! that our fathers were engaged in this traffic; but that is no apology for it. And in repelling the authority of this example, I repel also the trite argument founded on the earlier example of England. It is true that our mother country, at the peace of Utrecht, extorted from Spain the Assiento Contract, securing the monopoly of the slave trade with the Spanish Colonies, as the whole price of all the blood of great victories; that she higgled at Aix-la-Chapelle for another lease of this exclusive traffic; and again, at the treaty of Madrid, clung to the wretched piracy. It is true, that in this spirit the power of the mother country was prostituted to the same base ends in her American Colonies, against indignant protests from our fathers. All these things now rise up in judgment against her. Let us not follow the Senator from South Carolina to do the very evil to-day which is another generation we condemn.

As the Senator from South Carolina is the Don Quixote, the Senator from Illinois [Mr. DOUGLAS] is the Squire of Slavery, its very Sancho Panza, ready to do all its humiliating offices. This Senator, in his labored address, vindicating his labored report—piling one mass of elaborate error upon another mass—constrained himself, as you will remember, to unfamiliar decencies of speech. Of that address I have nothing to say at this moment, though before I set down I shall show something of its fallacies. But I go back

now to an earlier occasion, when, true to his native impulses, he threw into this discussion, “for a charm of powerful trouble,” personalities most discreditable to this body. I will not stop to repel the imputations which he cast upon myself; but I mention them to remind you of the “sweltered venom sleeping got,” which, with other poisoned ingredients, he cast into the cauldron of this debate. Of other things I speak. Standing on this floor, the Senator issued his rescript, requiring submission to the Usurped Power of Kansas; and this was accompanied by a manner—all his own—such as befits the tyrannical threat. Very well. Let the Senator try. I tell him now that he cannot enforce any such submission. The Senator, with the Slave Power at his back, is strong; but he is not strong enough for this purpose. He is bold. He shrinks from nothing. Like Danton, he may cry, “*Laudace! laudace! toujours laudace!*” but even his audacity cannot compass this work. The Senator copies the British officer, who, with boastful swagger, said that with the hilt of his sword he would cram the “stamps” down the throats of the American people, and he will meet a similar failure. He may convulse this country with civil feud. Like the ancient madman, he may set fire to this vast Temple of Constitutional Liberty, grander than Ephesian dome; but he cannot enforce obedience to that tyrannical Usurpation.

The Senator dreams that he can subdue the North. He disclaims the open threat, but his conduct still implies it. How little that Senator knows himself, or the strength of the cause which he persecutes! He is but a mortal man; against him is an immortal principle. With finite power he wrestles with the infinite, and he must fall. Against him are stronger battalions than any marshaled by mortal arm—the in-born, ineradicable, invincible sentiments of the human heart; against him is nature in all her subtle forces; against him is God. Let him try to subdue these.

But I pass from these things, which, though belonging to the very heart of the discussion, are yet preliminary in character, and press at once to the main question.

1. It belongs to me now, in the first place to expose the CRIME AGAINST KANSAS, in its origin and extent. Logically, this is the beginning of the argument. I say Crime, and deliberately adopt this strongest term, as better than any other denoting the consummate transgression. I would go further, if language could further go. It is the *Crime of Crimes*—surpassing for the old *crimen majestatis*, pursued with vengeance by the laws of Rome, and containing all the crimes, as the greater contains less. I do not go too far, when I call it the *Crime against Nature*, from which the soul recoils, and which language refuses to describe. To lay bare this enormity, I now proceed. The whole subject has already become a twice-told tale, and its renewed recital will be a renewal of its sorrow and shame; but I shall not hesitate to enter upon it. The occasion requires it from the beginning.

It has been well remarked by a distinguished historian of our country, that, at the Ithuriel touch of the Missouri discussion, the slave interest hitherto hardly recognized as a distinct element in our system, started up portentous and dilated, with threats and assumptions, which are the origin of our existing national politics.

This was in 1820. The discussion ended with the admission of Missouri as a slaveholding State, and the prohibition of Slavery in all the remaining territory west of the Mississippi, and north of 36 deg. 30 min., leaving the condition of other territories south of this line, or subsequently acquired, untouched by the arrangement. Here was a solemn act of legislation, called at the time a compromise, a covenant, a compact, first brought forward in this body by a slaveholder—vindicated by slaveholders in debate—finally sanctioned by slaveholding votes—also upheld at the time by the essential approbation of a slaveholding President, James Monroe, and his Cabinet, of whom a majority were slaveholders, including Mr. Calhoun himself; and this compromise was made the condition of the admission of Missouri, without which that State could not have been received into the Union.—The bargain was simple, and was applicable, of course, only to the territory named. Leaving all the other territory to await the judgment of another generation, the South said to the North, Conquer your prejudices so far as to admit Missouri as a slave State, and, in consideration of this much-coveted boon, slavery shall be prohibited forever in all the remaining Louisiana Territory above 36 deg. 30 min.; and the North yielded.

In total disregard of history, the President in his annual message, has told us that this compromise “was reluctantly acquiesced in by the Southern States.” Just the contrary is true. It was the work of slaveholders, and was crowded by their concurring votes upon a reluctant North. At the time it was hailed by slaveholders as a victory. Charles Pinckney, of South Carolina, in an oft-quoted letter, written at three o’clock on the night of its passage, says, “It is considered here by the slaveholding States as a great triumph.” At the North it was accepted as a defeat, and the friends of Freedom everywhere throughout the country bowed their heads with mortification. But little did they know the completeness of their disaster. Little did they dream that the prohibition of Slavery in the Territory, which was stipulated as the price of their capitulation, would also at the very moment of its maturity be wrested from them.

Time passed, and it became necessary to provide for this Territory an organized Government. Suddenly, without notice in the public press, or the prayer of a single petition, or one word of public recommendation from the President—after an acquiescence of thirty-three years, and the irrecoverable possession by the South of its special share under this compromise—in violation of every obligation of honor, compact, and good neighborhood—and in contemptuous disregard of the out-gushing sentiments of an aroused North, this time-honored prohibition, in itself a Landmark of Freedom, was overthrown, and the vast region now known as Kansas and Nebraska was opened to Slavery. It was natural that a measure thus repugnant in character should be pressed by arguments mutually repugnant. It was urged on two principal reasons, so opposite and inconsistent as to slap each other in the face—one being that, by the repeal of the prohibition, the Territory would be left open to the entry of slaveholders with their slaves, without hindrance; and the other being, that the people would be left absolutely free to determine the question for themselves, and to prohibit the en-

try of slaveholders with their slaves, if they should think best. With some, the apology was the alleged rights of slaveholders; with others, it was the alleged rights of the people. With some, it was openly the extension of Slavery; and with others, it was openly the establishment of Freedom, under the guise of Popular Sovereignty. Of course, the measure, thus upheld in defiance of reason, was carried through Congress in defiance of all the securities of legislation: and I mention these things that you may see in what foulness the present crime was engendered.

It was carried, *first* by *whipping in* to its support, through Executive influence and patronage, men who acted against their own declared judgment and the known will of their constituents. *Secondly*, by *foisting out of place*, both in the Senate and House of Representatives, important business, long pending, and usurping its room. *Thirdly*, by *trampling under foot* the rules of the House of Representatives, always before the safeguard of the minority. And *Fourthly*, by *driving it to a close* during the very session in which it originated, so that it might not be arrested by the indignant voice of the People. Such are some of the means by which this snap-judgment was obtained. If the clear will of the People had not been disregarded, it could not have passed. If the government had not nefariously interposed its influence, it could not have passed. If it had been left to its natural place in the order of business, it could not have passed. If the rules of the House and the rights of the minority had not been violated, it could not have passed. If it had been allowed to go over to another Congress, when the People might be heard, it would have ended; and then the Crime we now deplore, would have been without its first seminal life.

Mr. President, I mean to keep absolutely within the limits of parliamentary propriety. I make no personal imputations; but only with frankness, such as belongs to the occasion and my own character, describe a great historical act, which is now enrolled in the Capitol. Sir, the Nebraska Bill was in every respect a swindle. It was a swindle by the South of the North. It was, on the part of those who had already completely enjoyed their share of the Missouri Compromise, a swindle of those whose share was yet absolutely untouched; and the plea of unconstitutionality set up—like the plea of usury after the borrowed money has been enjoyed—did not make it less a swindle. Urged as a Bill of Peace, it was a swindle of the whole country. Urged as opening the doors to slave-masters with their slaves, it was a swindle of the asserted doctrine of Popular Sovereignty. Urged as sanctioning Popular Sovereignty, it was a swindle of the asserted rights of slave-masters. It was a swindle of a broad territory, thus cheated of protection against Slavery. It was a swindle of a great cause, early espoused by Washington, Franklin, and Jefferson, surrounded by the best fathers of the Republic. Sir, it was a swindle of God-given inalienable Rights. Turn it over; look at it on all sides, and it is everywhere a swindle; and, if the word I now employ has not the authority of classical usage, it has, on this occasion, the indubitable authority of fitness. No other word will adequately express the mingled meanness and wickedness of the cheat.

Its character was still further apparent in the general structure of the bill. Amidst overflowing professions of regard for the sovereignty of the People in the Territory, they were despoiled of every essential privilege of sovereignty. They were not allowed to choose their Governor, Secretary, Chief Justice, Associate Justices, Attorney, or Marshal—all of whom are sent from Washington; nor were they allowed to regulate the salaries of any of these functionaries, or the daily allowance of the legislative body, or even the pay of the clerks and doorkeepers; but they were left free to adopt Slavery. And this was called Popular Sovereignty! Time does not allow, nor does the occasion require, that I should stop to dwell on this transparent device to cover a transcendent wrong. Suffice it to say, that Slavery is in itself an arrogant denial of Human Rights, and by no human reason can the power to establish such a wrong be placed among the attributes of any just sovereignty. In refusing it such a place, I do not deny popular rights, but uphold them; I do not restrain popular rights, but extend them. And, sir, to this conclusion you must yet come, unless deaf, not only to the admonitions of political justice, but also to the genius of our own Constitution, under which, when properly interpreted, no valid claim for Slavery can be set up anywhere in the National territory. The Senator from Michigan [Mr. Cass] may say, in response to the Senator from Mississippi, [Mr. Brown] that Slavery cannot go into the Territory under the Constitution, without legislative introduction; and permit me to add, in response to both, that Slavery cannot go there at all. *Nothing can come out of nothing;* and there is absolutely nothing in the Constitution out of which Slavery can be derived, while there are provisions, which, when properly interpreted, make its existence anywhere within the exclusive national jurisdiction impossible.

The offensive provision in the bill was in its form a legislative anomaly, utterly wanting the natural directness and simplicity of an honest transaction. It did not undertake openly to repeal the old Prohibition of Slavery, but seemed to mince the matter, as if conscious of the swindle. It said that this Prohibition, "being inconsistent with the principle of non-intervention by Congress with Slavery in the States and Territories, as recognized by the legislation of 1850, commonly called the Compromise Measures, is hereby declared inoperative and void." Thus, with insidious ostentation, was it pretended that an act, violating the greatest compromise of our legislative history, and setting loose the foundations of all compromise, was derived out of a compromise. Then followed in the Bill the further declaration, which is entirely without precedent, and which has been aptly called, "a stump speech in its belly," namely: "it being the true intent and meaning of this act, not to legislate Slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." Here were smooth words, such as belong to a cunning tongue enlisted in a bad cause. But whatever may have been their various hidden meanings, this at least was evident, that, by their effect, the Congressional Prohibition of Slavery, which had always been regarded as a

seven-fold shield, covering the whole Louisiana Territory north of 36 deg. 30 min., was now removed, while a principle was declared, which would render the supplementary Prohibition of Slavery in Minnesota, Oregon and Washington, "inoperative and void," and thus open to Slavery all these vast regions, now the rude cradles of mighty States. Here you see the magnitude of the mischief contemplated. But my purpose now is with the Crime against Kansas, and I shall not stop to expose the conspiracy beyond.

Mr. President, men are wisely presumed to intend the natural consequences of their conduct, and to seek what their acts seem to promote.—Now, the Nebraska Bill, on its very face, openly cleared the way for Slavery, and it is not wrong to presume that its originators intended the natural consequences of such an act, and sought in this way to extend Slavery. Of course, they did. And this is the first stage in the crime against Kansas.

But this was speedily followed by other developments. The bare-faced scheme was soon whispered, that Kansas must be a Slave State. In conformity with this idea was the government of this unhappy territory organized in all its departments; and thus did the President, by whose complicity the Prohibition of Slavery had been overthrown, lend himself to a new complicity—giving the conspirators a lease of countenance, amounting even to copartnership. The Governor, Secretary, Chief Justice, Associate Justices, Attorney, and Marshal, with a whole caucus of other stipendaries, nominated by the President and confirmed by the Senate, were all commended as friendly to Slavery. No man, with the sentiments of Washington, or Jefferson, or Franklin, found any favor; nor is it too much to say, that, had these great patriots once more come among us, not one of them, with his recorded unretred opinions on Slavery, could have been nominated by the President or confirmed by the Senate for any post in that Territory. With such auspices the conspiracy proceeded. Even in advance of the Nebraska Bill, secret societies were organized in Missouri, ostensibly to protect her institutions, and afterwards, under the name of "Self-Defensive Associations," and of "Blue Lodges," these were multiplied throughout the western counties of that State, before any counter-movement from the North. It was confidently anticipated, that by the activity of these societies, and the interest of slaveholders everywhere, with the advantages derived from the neighborhood of Missouri, and the influence of the Territorial Government, Slavery might be introduced into Kansas, quietly but surely, without arousing a conflict—that the crocodile egg might be stealthily dropped in the sun-burnt soil, there to be hatched unobserved until it sent forth its reptile monster.

But the conspiracy was unexpectedly balked. The debate which convulsed Congress, had stirred the whole country. Attention from all sides was directed upon Kansas, which at once became the favorite goal of emigration. The Bill had loudly declared, that its object was "to leave the people perfectly free to form and regulate their domestic institutions in their own way;" and its supporters everywhere challenged the determination of the question between Freedom and Slavery by a competition of emigration. Thus, while opening the Territory to Slavery, the bill also opened it to emigrants

from every quarter, who might by their votes redress the wrong. The populous North, stung by a sharp sense of outrage, and inspired by a noble cause, poured into the debatable land, and promised soon to establish a supremacy of numbers there, involving, of course, a just supremacy of Freedom.

Then was conceived the consummation of the Crime against Kansas. What could not be accomplished peaceably, was to be accomplished forcibly. The reptile monster, that could not be quietly and securely hatched there, was to be pushed full-grown into the Territory. All efforts were now given to the dismal work of forcing Slavery on Free Soil. In flagrant derogation of the very Popular Sovereignty, whose name helped to impose this Bill upon the country, the atrocious object was now distinctly avowed. And the avowal has been followed by the act. Slavery has been forcibly introduced into Kansas, and placed under the formal safeguards of pretended law. How this was done belongs to the argument.

In depicting this consummation, the simplest outline, without one word of color, will be best. Whether regarded in its mass or its details, in its origin or its results, it is all blackness, illumined by nothing from itself, but only by the heroism of the undaunted men and women, whom it environed. A plain statement of facts will be a picture of fearful truth, which faithful history will preserve in its darkest gallery. In the foreground all will recognize a familiar character, in himself a connecting link between the President and the border ruffian—less conspicuous for ability than for the exalted place he has occupied—who once sat in the seat where you now sit, sir; where once sat John Adams and Thomas Jefferson; also, where once sat Aaron Burr. I need not add the name of David R. Atchison. You have not forgotten that, at the session of Congress immediately succeeding the Nebraska Bill, he came tardily to his duty here, and then, after a short time, disappeared. The secret has been long since disclosed. Like Catiline, he stalked into this Chamber reeking with conspiracy—*incito in Senatum venit*—and then like Catiline he skulked away—*abit, exsedit, evasit, erupit*—to join and provoke the conspirators, who at a distance awaited their congenial chief. Under the influence of his malign presence the Crime ripened to its fatal fruits, while the similitude with Catiline was again renewed in the sympathy, not even concealed, which he found in the very Senate itself; where, beyond even the Roman example, a Senator has not hesitated to appear as his open compurgator.

And now, as I proceed to show the way in which this Territory was overrun and finally subjugated to Slavery, I desire to remove in advance all question with regard to the authority on which I rely. The evidence is secondary; but it is the best which, in the nature of the case can be had, and it is not less clear, direct, and peremptory, than any by which we are assured of the campaigns in the Crimea or the fall of Sebastopol. In its manifold mass, I confidently assert, that it is such a body of evidence as the human mind is not able to resist. It is found in the concurring reports of the public press; in the letters of correspondents; in the testimony of travelers; and in the unaffected story to which I have listened from leading citizens, who during this winter, have "come flocking"

here from that distant Territory. It breaks forth in the irrepressible outcry, reaching us from Kansas, in truthful tones, which leave no ground of mistake. It addresses us in formal complaints, instinct with the indignation of a people determined to be free, and unimpeachable as the declarations of a murdered man on his dying bed against his murderer.

I begin with an admission from the President himself, in whose sight the people of Kansas have little favor. And yet, after arraigning the innocent emigrants from the North, he was constrained to declare that their conduct was "far from justifying the *illegal* and *reprehensible* counter-movement which ensued." Then, by the reluctant admission of the Chief Magistrate, there was a counter-movement, at once, *illegal* and *reprehensible*. I thank thee, President, for teaching me these words; and I now put them in the front of this exposition, as in themselves a confession. Sir, this "*illegal* and *reprehensible* counter-movement" is none other than the dreadful crime—under an apologetic alias—by which, through successive invasions, Slavery has been forcibly planted in this Territory.

Next to this Presidential admission must be placed the details of the invasions, which I now present as not only "*illegal* and *reprehensible*," but also unquestionable evidence of the resulting Crime.

The violence, for some time threatened, broke forth on the 28th November, 1854, at the first election of a Delegate to Congress, when companies from Missouri, amounting to upwards of one thousand, crossed into Kansas, and with force and arms, proceeded to vote for Mr. Whitfield, the candidate for Slavery. An eye-witness, General Pomeroy, of superior intelligence and perfect integrity, thus describes this scene:

"The first ballot-box that was opened upon our virgin soil was closed to us by overpowering numbers and impending force. So bold and reckless were our invaders, that they cared not to conceal their attack. They came upon us not in the guise of voters to steal away our franchise, but boldly and openly to snatch it with a strong hand. They came directly from their own homes, and in compact and organized bands with arms in hand and provisions for the expedition, marched to our polls, and, when their work was done, returned whence they came."

Here was an outrage at which the coolest blood of patriotism boils. Though, for various reasons unnecessary to develop, the busy settlers allowed the election to pass uncontested, still the means employed were none the less "*illegal* and *reprehensible*."

This infliction was a significant prelude to the grand invasion of the 8th March, 1855, at the election of the first Territorial Legislature under the organic law, when an armed multitude from Missouri entered the Territory, in larger numbers than General Taylor commanded at Buena Vista, or than Gen. Jackson had within his lines at New Orleans—larger far than our fathers rallied on Bunker Hill. On they came as an "army with banners," organized in companies, with officers, munitions, tents, and provisions, as though marching upon a foreign foe, and breathing loud-mouthed threats that they would carry their purpose, if need be, by the bowie-knife and revolver. Among them, according to his own confession, was David R. Atchison, belted with the vulgar arms of his vulgar comrades. Arrived at their several destinations on the night before the election, the invaders pitched their tents, placed their sentries, and waited for the coming day. The same trust-

worthy eye-witness, whom I have already quoted, says, of one locality:

"Baggage-wagons were there, with arms and ammunition enough for a protracted fight, and among them two brass field-pieces ready charged. They came with drums beating and flags flying, and their leaders were of the most prominent and conspicuous men of their State."

Of another locality, he says:

"The invaders came together in one armed and organized body, with trains of fifty wagons, besides horsemen, and, the night before election, pitched their camp in the vicinity of the polls; and having appointed their own judges in place of those who, from intimidation or otherwise, failed to attend, they voted without any proof of residence."

With this force they were able, on the succeeding day, in some places, to intimidate the judges of elections; in others to substitute judges of their own appointment; in others, to wrest the ballot-boxes from their rightful possessors, and everywhere to exercise a complete control of the election, and thus, by a preternatural audacity of usurpation, impose a Legislature upon the free people of Kansas. Thus was conquered the Sevastopol of that Territory!

But it was not enough to secure the Legislature. The election of a member of Congress recurred on the 2d October, 1855, and the same foreigners, who had learned their strength, again manifested it. Another invasion, in controlling numbers, came from Missouri, and once more forcibly exercised the electoral franchise in Kansas.

At last, in the latter days of November, 1855, a storm, long brewing, burst upon the heads of the devoted people. The ballot-boxes had been violated, and a Legislature installed, which had proceeded to carry out the conspiracy of the invaders; but the good people of the Territory, born to Freedom, and educated as American citizens, showed no signs of submission. Slavery, though recognized by pretended law, was in many places practically an outlaw. To the lawless borderers, this was hard to bear; and, like the Heathen of old, they raged, particularly against the town of Lawrence, already known, by the firmness of its principles and the character of its citizens, as the citadel of the good cause. On this account they threatened, in their peculiar language, to "wipe it out." Soon the hostile powder was gathered for this purpose. The wickedness of this invasion was enhanced by the way in which it began. A citizen of Kansas, by the name of Dow, was murdered by one of the partisans of Slavery, under the name of "law and order." Such an outrage naturally aroused indignation and provoked threats. The professors of "law and order" allowed the murderer to escape; and, still further to illustrate the irony of the name they assumed, seized the friend of the murdered man, whose few neighbors soon rallied for his rescue. This transaction, though, totally disregarded in its chief front of wickedness, became the excuse for unprecedented excitement. The weak Governor, with no faculty higher than servility to Slavery—whom the President in his official delinquency, had appointed to a trustworthy only of a well-balanced character—was frightened from his propriety. By proclamation he invoked the President. The Territory would not respond to his senseless appeal. The President was dumb; but the proclamation was circulated throughout the border counties of Missouri; and Platte, Clay, Carlisle, Sabine, Howard, and Jefferson, each of them contributed a volunteer company, recruited from the road sides, and armed with weapons which chance afforded—

known as the "shot-gun militia"—with a Missouri officer as commissary general, dispensing rations, and another Missouri officer as general-in-chief; with two wagon loads of rifles, belonging to Missouri, drawn by six mules, from its arsenal at Jefferson City; with seven pieces of cannon, belonging to the United States, from its arsenal at Liberty; and this formidable force, amounting to at least 1,800 men, terrible with threats, with oaths, and with whisky, crossed the borders, and encamped in larger part at Wacherausa, over against the doomed town of Lawrence, which was now threatened with destruction. With these invaders was the Governor, who by this act levied war upon the people he was sent to protect. In camp with him was the original Catiline of the conspiracy, while by his side was the docile Chief Justice and the docile Judges. But this is not the first instance in which an unjust Governor has found tools where he ought to have found justice. In the great impeachment of Warren Hastings, the British orator, by whom it was conducted, exclaims, in words strictly applicable to the misdeed I now arraign, "Had he not the Chief Justice, the tame and domesticated Chief Justice, who waited on him like a familiar spirit?" Thus was this invasion countenanced by those who should have stood in the breach against it. For more than a week it continued, while deadly conflict seemed imminent. I do not dwell on the heroism by which it was encountered, or the mean retreat to which it was compelled; for that is not necessary to exhibit the Crime which you are to judge. But I cannot forbear to add other additional features, furnished in the letter of a clergymen, written at the time, who saw and was a part of what he describes:

*"Our citizens have been shot at, and in two instances murdered, our houses invaded, hay-ricks burnt, corn and other provisions plundered, cattle driven off, all communication cut off between us and the States, wagons on the way to us with provisions stopped and plundered, and the drivers taken prisoners, and we in hourly expectation of an attack. Nearly every man has been in arms in the village. Fortifications have been thrown up, by incessant labor night and day. The sound of the drum and the tramp of armed men resounded through our streets, families fleeing with their household goods for safety. Day before yesterday, the report of cannon was heard at our house from the direction of Leavenworth. Last Thursday, one of our neighbors—one of the most respectable and excellent of men, from Ohio—on his way home, was set upon by a gang of twelve men on horseback, and shot down. Over eight hundred men are gathered under arms at Lawrence. As yet, no act of violence has been perpetrated by those on our side. No blood of retaliation stains our hands. We stand and are ready to act purely in the defense of our homes and lives."*

But the catalogue is not yet complete. On the 15th of December, when the people assembled to vote on the Constitution then submitted for adoption—only a few days after the Treaty of Peace between the Governor on the one side and the town of Lawrence on the other—another irruption was made into this unhappy Territory. But I leave this all untold. Enough of these details has been given.

Five several times and more have these invaders entered Kansas in armed array, and thus five times and more have they trampled upon the organic law of the Territory. But these extraordinary expeditions are simply the extraordinary witnesses to successive uninterrupted violence. They stand out conspicuous but not alone. The spirit of evil, in which they had their origin, was wakeful and incessant. From the beginning, it hung upon the skirts of this interesting Territory, barrowing its peace, dis-

turbing its prosperity, and keeping its inhabitants under the painful alarms of war. Thus was all security of person, of property, and of labor, overthrown; and when I urge this incontrovertible fact, I set forth a wrong, which is small only by the side of the giant wrong, for the consummation of which all this was done. Sir, what is man—what is government—without security; in the absence of which, nor man nor government can proceed in development or enjoy the fruits of existence? Without security, civilization is cramped and dwarfed. Without security there can be no true Freedom. Nor shall I say too much, when I declare that security, guarded of course by its offspring, Freedom, is the true end and aim of government. Of this indispensable boon the people of Kansas have thus far been despoiled—absolutely, totally. All this is aggravated by the nature of their pursuits, rendering them peculiarly sensitive to interruption, and at the same time attesting their innocence. They are for the most part engaged in the cultivation of the soil, which from time immemorial has been the sweet employment of undisturbed industry. Contented in the returns of bounteous nature and the shade of his own trees, the husbandman is not aggressive; accustomed to produce, and not to destroy, he is essentially peaceful, unless his home is invaded, when his arm derives vigor from the soil he treads, and his soul inspiration from the heavens beneath whose canopy he daily walks. And such are the people of Kansas, whose security has been overthrown. Scenes from which civilization averts her countenance have been a part of their daily life. The border incursions, which, in barbarous ages or barbarous lands, have fretted and “harried” an exposed people have been here renewed, with this peculiarity, that our border robbers do not simply levy black mail and drive off a few cattle, like those who acted under the inspiration of the Douglas of other days; that they do not seize a few persons, and sweep them away into captivity, like the African slave-traders whom we brand as pirates; but that they commit a succession of acts, in which all border sorrows and all African wrongs are revived together on American soil, and which for the time being annuls all protection of all kinds, and enslaves the whole Territory.

Private griefs mingle their poignancy with public wrongs. I do not dwell on the anxieties which families have undergone, exposed to sudden assaults, and obliged to lie down to rest with the alarms of war ringing in their ears, not knowing that another day might be spared to them. Throughout this bitter winter, with the thermometer at 80 degrees below zero, the citizens of Lawrence have been constrained to sleep under arms, with sentinels treading their constant watch against surprise. But our souls are wrung with individual instances. In vain do we condemn the cruelties of another age—the refinements of torture to which men have been doomed—the rack and thumb-screw of the Inquisition, the last agonies of the regicide Ravaillac—“Luke’s iron crown, and Damien’s bed of steel”—for kindred outrages have disgraced these borders. Murder has stalked—assassination has skulked, in the tall grass of the prairie, and the vindictiveness of man has assumed unwonted forms. A preacher of the Gospel of the Savior has been ridden on a rail, and then thrown into the Missouri, fast-

ened to a log, and left to drift down its muddy, tortuous current. And lately we have had the tidings of that enormity without precedence—a deed without a name—where a candidate of the Legislature was most brutally gashed with knives and hatchets, and then, after writhing in blood on the snow-clad earth, was trundled along with gaping wounds, to fall dead in the face of his wife. It is common to drop a tear of sympathy over the trembling solicitudes of our early fathers, exposed to the stealthy assault of the savage foe; and an eminent American artist has pictured this scene in a marble group of rare beauty, on the front of the National Capitol, where the uplifted tomahawk is arrested by the strong arm and generous countenance of the pioneer, while his wife and children find shelter at his feet; but now the tear must be dropped over the trembling solicitudes of fellow-citizens, seeking to build a new State in Kansas, and exposed to the perpetual assault of murderous robbers from Missouri. Hiredlings, picked from the drunken spew and vomit of an unclean civilization—in the form of men—

Aye, in the catalogue ye go for men;  
As hounds and grey-hounds, mongrels, spaniels, curs,  
Soughs, water-rugs, and demi-wolves, are called  
All by the name of dogs;

leashed together by secret signs and lodges, have renewed the incredible atrocities of the Assassins and of the Thugs; showing the blind submission of the Assassin to the Old Man of the Mountain, in robbing Christians on the road to Jerusalem, and showing the heartlessness of the Thugs, who, avowing that murder was their religion, waylaid travelers on the great road from Agra to Delhi; with the more deadly bowie-knife for the dagger of the Assassin, and the more deadly revolver for the noose of the Thug.

In these invasions, attended by the entire subversion of all Security in this Territory, with the plunder of the ballot-box, and the pollution of the electoral franchise, I show simply the process in unprecedented Crime. If that be the best Government, where an injury to a single citizen is resented as an injury to the whole State, then must our Government forfeit all claim to any such eminence, while it leaves its citizens thus exposed. In the outrage upon the ballot-box, even without the illicit fruits which I shall soon expose, there is a peculiar crime of the deepest dye, though subordinate to the final Crime, which should be promptly avenged. In countries where royalty is upheld it is a special offence to rob the crown jewels, which are the emblems of that sovereignty before which the loyal subject bows, and it is treason to be found in adultery with the Queen, for in this way may a false heir be imposed upon the State; but in our Republic the ballot-box is the single priceless jewel of that sovereignty which we respect, and the electoral franchise, out of which are born the rulers of a free people, is the Queen whom we are to guard against pollution. In this plain presentment, whether as regards Security, or as regards Elections, there is enough, surely, without proceeding further, to justify the intervention of Congress, most promptly and completely, to throw over this oppressed people the impenetrable shield of the Constitution and laws. But the half is not yet told.

As every point in a wide-spread horizon radiates from a common centre, so everything said or done in this vast circle of Crime radiates from

the *One Idea*, that Kansas, at all hazards, must be made a Slave State. In all the manifold wickednesses that have occurred, and in every successive invasion, this *One Idea* has been ever present, as the Satanic tempter—the motive power—the *causing cause*.

To accomplish this result, three things were attempted: *first*, by outrages of all kinds to drive friends of Freedom already there out of the Territory; *secondly*, to deter others from coming; and, *thirdly*, to obtain the complete control of the Government. The process of driving out, and also of deterring has failed. On the contrary, the friends of Freedom there became more fixed in their resolves to stay and fight the battle, which they had never sought, but from which they disdained to retreat; while the friends of Freedom elsewhere were more aroused to the duty of timely succors, by men and munitions of just self-defence.

But, while defeated in the first two processes proposed, the conspirators succeeded in the last. By the violence already portrayed at the election of the 8th March, when the polls were occupied by the armed hordes from Missouri, they imposed a Legislature upon the Territory, and thus, under the iron mask of law, established a Usurpation not less complete than any in history. That this was done I proceed to prove. Here is the evidence:

1. Only in this way can this extraordinary expedition be adequately explained. In the words of Moilere, once employed by John Quincy Adams in the other house, *Que diable aillent-ils faire dans cette galere?* What did they go into the Territory for? If their purposes were peaceful, as has been suggested, why cannons, arms, flags, numbers, and all this violence? As simple citizens, proceeding to the honest exercise of the electoral franchise, they might have gone with nothing more than a pilgrim's staff. Philosophy always seeks a *sufficient cause*, and only in the *One Idea*, already presented, can a cause be found in any degree commensurate with this Crime; and this becomes so only when we consider the mad fanaticism of Slavery.

2. Public notoriety steps forward to confirm the suggestion of reason. In every place where truth can freely travel, it has been asserted and understood, that the Legislature has been imposed upon Kansas by foreigners from Missouri; and this universal voice is now received as undeniable verity.

3. It is also attested by the harangues of the conspirators. Here is what Stringfellow said before the invasion:

"To those who have qualms of conscience as to violating laws, State or National, the time has come when such impudent must be disregarded, as your rights and property are in danger; and I advise you, one and all, to enter every election district in Kansas, in defiance of Reeder and his vile myrmidons, and vote at the point of the *bouc-knife* and revolver. Neither give nor take quarter, as our cause demands it. It is enough that the slaveholding interest will it, from which there is no appeal. What right has Governor Reeder to rule Missourians in Kansas? His proclamation and prescribed oath must be repudiated. It is your interest to do so. Mind that Slavery is established where it is not prohibited."

Here is what Atchison said after the invasion:

"Well, what next? Why an election for members of the Legislature to organize the Territory must be held. What did I advise you to do then? Why, meet them on their own ground, and beat them at their own game again; and, cold and inclement as the weather was, I went over with a company of men. My object in going was not to vote. I had no right to vote unless I had disenchanted myself in Mis-

souri. I was not within two miles of a voting place. My object in going was not to vote, but to settle a difficulty between two of our candidates; and the Abolitionists of the North said, and published it abroad, that Atchison was there with *bouc-knife* and revolver; and by God it was true. I never did go into that Territory—I never intend to go into that Territory—without being prepared for all such kind of cattle. Well, we beat them, and Governor Reeder gave certificates to a majority of all the members of both Houses, and then, after they were organized, as everybody will admit, they were the only competent persons to say who were, and who were not members of the same."

4. It is confirmed by the contemporaneous admission of the *Squatter Sovereign*, a paper published at Atchison, and at once the organ of the President and of these Borderers, which, under date of 1st April, thus recounts the victory

"INDEPENDENCE, MISSOURI, March 31, 1855

"Several hundred emigrants from Kansas have just entered our city. They were preceded by the Westport and Independence brass bands. They came in at the west side of the public square, and proceeded entirely around it, the bands cheering us with the music, and the emigrants with good news. Immediately following the bands were about two hundred horsemen in regular order; following these were one hundred and fifty wagons, carriages, &c. They gave repeated cheers for Kansas and Missouri. They report that not an Anti-Slavery man will be in the Legislature of Kansas. *We have made a clean sweep.*"

5. It is also confirmed by the contemporaneous testimony of another paper, always faithful to Slavery, the *New York Herald*, in the letter of a correspondent from Brunswick, in Missouri, under date of 20th April, 1855:

"From five to seven thousand men started from Missouri, to attend the election, some to remove, but the most to return to their families, with an intention, if they liked the Territory, to make it their permanent abode at the earliest moment practicable. But they intended to vote. The Missourians were, most of them, Douglass men. There were one hundred and fifty voters from this county, one hundred and seventy-five from Howard, one hundred from Cassier. Indeed, every county furnished its quota; and when they set out, it looked like an army." \* \* \* \* \* "They were armed." \* \* \* \* \* "And as there were no slaves in the Territory, they carried tents. Their mission was a peaceable one—to vote, and drive down stakes for their future homes. After the election, some one thousand five hundred of the voters sent a committee to Mr. Reeder, to ascertain if it was his purpose to ratify the election. He answered that it was, and said the majority at an election must carry the day. But it is not to be denied that the one thousand five hundred, apprehending that the Governor might attempt to play the tyrant—see his conduct had already been insidious and unjust—wore on their hats bunches of hemp. \* \* \* They were resolute, if a tyrant attempted to trample upon the rights of the sovereign people, to hang him."

6. It is again confirmed by the testimony of a lady, who for five years has lived in Western Missouri, and thus writes in the *New Haven Register*:

"MIAMI, SALINE CO., NOV. 15, 1855.  
"You ask me to tell you something about the Kansas and Missouri troubles. Of course you know in what they have originated. There is no denying that the *disseminators* have determined to control the elections, if possible, and I don't know that their measures would be *sufficient*, except upon the principle of self-preservation; and that, you know, is the first law of nature."

7. And it is confirmed still further by the circular of the Emigration Society of Lafayette, in Missouri, dated as late as 25th March, 1855, in which the efforts of Missourians are openly confessed:

"The Western counties of Missouri have, for the last two years, been heavily taxed both in money and time, in fighting the battles of the South. *Lafayette County* alone has expended more than \$100,000 in money, and a great deal more in time. Up to this time, the border counties of Missouri have upheld and maintained the rights and interests of the South in this struggle, unselfishly, and not unsuccessfully. But the *Abolitionists*, striking their fall upon the Kansas state, and hesitating at no means, fair or foul, are moving heaven and earth to render that beautiful Territory a *Free State*."

8. Here, also, is complete admission of Usurpation, by the *Intelligencer*, a leading paper of St. Louis, Missouri, made in the ensuing summer.

Atchison and Stringfellow, with their Missouri followers, overwhelmed the settlers in Kansas, browbeat and bullied them, and took the Government from their hands. Missouri votes elected the present body of men who insult public intelligence and popular rights by styling themselves 'the Legislature of Kansas.' This body of men are helping themselves to fat speculations by locating the 'seat of Government,' and getting town lots for their votes. They are passing laws disfranchising all the citizens of Kansas who do not believe Negro Slavery to be a Christian institution and a national blessing. They are proposing to punish with imprisonment the utterance of views inconsistent with their own. And they are trying to perpetuate their preposterous and infernal tyranny by appointing for a term of years creatures of their own, as commissioners in every county, to lay and collect taxes, and see that the laws they are passing are faithfully executed. Has this age anything to compare with these acts in audacity?"

9. In harmony with all these is the authoritative declaration of Governor Reeder, in a speech addressed to his neighbors, at Easton Pennsylvania, at the end of April, 1855, and immediately afterwards published in the Washington *Union*. Here it is:

"It was, indeed, too true, that Kansas had been invaded, conquered, subjugated, by an armed force from beyond her borders, led on by a fanatical spirit, trampling under foot the principles of the Kansas bill and the right of suffrage."

10. And in similar harmony is the complaint of the people of Kansas, in a public meeting at Big-Springs, on the 5th September, 1855, embodied in these words:

"Received, That the body of men who for the last two months have been passing laws for the people of our Territory, moved, counselled and dictated by the demagogues of Missouri, are to us a foreign body, representing only the lawless invaders who elected them, and not the people of the Territory—that we repudiate their action, as the monstrous consummation of an act violence, usurpation, and fraud, unparalleled in the history of the Union, and worthy only of men unfit for the duties, and regardless of the responsibilities of Republicans."

11. And finally, by the official minutes, which have been laid on our table by the President, the invasion, which ended in the Usurpation, is clearly established; but the effect of this testimony has been so amply expressed by the Senator from Vermont, [Mr. COLLAMER,] in his able and indefatigable argument, that I content myself with simply referring to it.

On this cumulative, irresponsible evidence, in concurrence with the antecedent history, I rest. And yet Senators here have argued that this cannot be so—precisely as the conspiracy of Catiline was doubted in the Roman Senate. *Monnuli sunt in hoc ordine, qui aut ea, quae imminent, non videant; aut ea, quae vident, dissimilant; qui Spem Catalinae nolibus sentiuntis cliverunt, coniurationemque nascentem non credendo corycaboraverunt.* As I listened to the Senator from Illinois, while he painfully strove to show that there was no Usurpation, I was reminded of the effort by a distinguished logician, in a much-admired argument, to prove that Napoleon Bonaparte never existed. And permit me to say, that the fact of his existence is not placed more completely above doubt than the fact of this Usurpation. This I assert on the proofs already presented. But confirmation comes almost while I speak. The columns of the public press are now daily filled with testimony, solemnly taken before the Committee of Congress in Kansas, which shows, in awful light, the violence ending in the Usurpation. Of this I may speak on some other occasion. Meanwhile I proceed with the development of the crime.

The usurping Legislature assembled at the appointed place in the interior, and then at once, in opposition to the veto of the Governor, by a majority of two-thirds, removed to the Shawnee Mission, a place in most convenient proximity to the Missouri borderers, by whom it had been

constituted, and whose tyrannical agent it was. The statutes of Missouri, in all their text, with their divisions and subdivisions, were adopted bodily, and with such little local adaptation that the word "State" in the original is not even changed to "Territory," but is left to be corrected by an explanatory act. But, all this general legislation was entirely subordinate to the specific act, entitled an "Act to punish offences against Slave Property," in which the One Idea, that provoked this whole Conspiracy, is at last embodied in legislative form, and Human Slavery openly recognized on Free Soil, under the sanction of pretended law. This act of thirteen sections is in itself a *Dance of Death*. But its complex completeness of wickedness, without a parallel, may be partially conceived, when it is understood that in three sections only of it is the penalty of death denounced no less than forty-eight different times, by as many changes of language, against the heinous offence, described in forty-eight different ways, of interfering with what does not exist in that Territory—and under the Constitution cannot exist there—I mean property in human flesh. Thus is Liberty sacrificed to Slavery, and Death summoned to sit at the gates as guardian of the Wrong.

But the work of Usurpation was not perfected even yet. It had already cost too much to be left at any hazard.

"To be thus was nothing;

But to be safely thus!" Such was the object. And this could not be, except by the entire prostration of all the safeguards of human Rights. The liberty of speech, which is the very breath of a Republic; the press, which is terror of wrong-doers; the bar, through which the oppressed bears the arrogance of law; the jury, by which right is vindicated; all these must be struck down, while officers are provided, in all places, ready to be the tools of this tyranny; and then, to obtain final assurance that their crime was secure, the whole Usurpation, stretching over the Territory, must be fastened and riveted by legislative bolts, spikes, and screws, *so as to defy all efforts at change through the ordinary forms of law.* To this work in its various parts, were bent the subtlest energies; and never, from Tubal Cain to this hour, was any fabric forged with more desperate skill and completeness.

Mark, sir, three, different legislative enactments, which constitute part of this work. *First*, according to one act, all who deny, by spoken or written word, "the right of persons to hold slaves in this Territory," are denounced as felons, to be punished by imprisonment at hard labor, for a term not less than two years; it may be for life. And to show the extravagance of this injustice, it has been well put by the Senator from Vermont [Mr. COLLAMER,] that should the Senator from Michigan [Mr. Cass,] who believes that Slavery cannot exist in a Territory, unless introduced by express legislative acts, venture there with his moderate opinions, his doom must be that of a felon! To this extent are the great liberties of speech and the press subverted. *Secondly*, by another act, entitled "An Act concerning Attorneys-at-Law," no person can practice as an attorney, unless he shall obtain a license from the Territorial courts, which, of course, a tyrannical discretion will be free to deny; and after obtaining such license, he is constrained to take an oath, not only "to support" the Constitution of the United States but also "to support and sustain"—mark

here the repudiation—the Territorial Act, and the Fugitive Slave Bill, thus erecting a test for the bar, calculated to exclude citizens who honestly regard that latter legislative enormity as unfit to be obeyed. And, *thirdly*, by another act, entitled "An Act concerning Jurors," all persons "conscientiously opposed to holding slaves," or "not admitting the right to hold slaves in the Territory," are excluded from the jury on every question, civil or criminal, arising out of asserted slave property; while, in all cases, the summoning of the jury is left without one word of restraint, to "the marshal, sheriff, or other officer," who are thus free to pack it according to their tyrannical discretion.

For the ready enforcement of all statutes against Human Freedom, the President had already furnished a powerful quota of officers, in the Governor, Chief Justice, Judges, Secretary, Attorney, and Marshal. The Legislature completed this part of the work, by constituting in each county a *Board of Commissioners*, composed of two persons, associated with the Probate Judge, whose duty it is "to appoint a county treasurer, coroner, justices of the peace, constables, and all other officers provided for by law," and then proceeded to the choice of this very Board; thus delegating and diffusing their usurped power, and tyrannically imposing upon the Territory, a crowd of officers, in whose appointment the people have had no voice, directly or indirectly.

And still the final inexorable work remained. A Legislature, renovated in both branches, could not assemble until 1858, so that, during this long intermediate period, this whole system must continue in the likeness of law, unless overthrown by the Federal Government, or in default of such interposition, by a generous uprising of an oppressed people. But it was necessary to guard against the possibility of change, even tardily, at a future election; and this was done by two different acts, under the *first* of which, all who will not take the oath to support the Fugitive Slave Bill are excluded from the elective franchise; and under the *second* of which, all others are entitled to vote who shall tender a tax of one dollar to the sheriff on the day of election; thus, by provision of Territorial law, disfranchising all opposed to Slavery, and at the same time opening the door to the votes of the invaders; by an unconstitutional shibboleth, excluding from the polls the mass of actual settlers, and by making the tax upon a petty tax only, admitting to the polls the mass of borderers from Missouri. Thus, by tyrannical forethought, the Usurpation not only forfeited all that it did, but assumed a *self-perpetuating* energy.

Thus was the Crime consummated. Slavery now stands erect, clanking its chains on the Territory of Kansas, surrounded by a code of death, and trampling upon all cherished liberties, whether of speech, the press, the bar, the trial by jury, or the electoral franchise. And, sir, all this has been done, not merely to introduce a wrong which in itself is denial of all rights, and in dread of which a mother has lately taken the life of her offspring; not merely, as has been sometimes said to protect Slavery in Missouri, since it is futile for this State to complain of Freedom on the side of Kansas, when Freedom exists without complaint on the side of Iowa, and also on the side of Illinois; but it has been done for the sake of political power, in order to

bring two new slaveholding Senators upon this floor, and thus to fortify in the National Government the desperate chances of a waning Oligarchy. As the ship, voyaging on pleasant summer seas, is assailed by a pirate crew, and robbed for the sake of its doubloons and dollars—so is this beautiful Territory now assailed in its peace and prosperity, and robbed, in order to wrest its political power to the side of Slavery. Even now the black flag of the land pirates from Missouri waves at the mast-head: in their laws you hear the pirate yell, add see the flash of the pirate's knife: while, incredible to relate! the President, gathering the Slave Power at his back, testifies a pirate sympathy.

Sir, all this was done in the name of Popular Sovereignty. And this is the close of the tragedy. Popular Sovereignty, which when truly understood, is a fountain of just power, has ended in Popular Slavery: not merely in the subjection of the unhappy African race, but of this proud Caucasian blood, which you boast. The profession with which you began, of *All by the People*, has been lost in the wretched reality of *Nothing for the People*. Popular Sovereignty in whose deceitful name plighted faith was broken, and an ancient Landmark of Freedom overturned, now lifts itself before us like Sin, in the terrible picture of Milton,

"That seemed a woman to the waist, and fair,  
But ended foul in many a scaly fold  
Voluminous and vast, a serpent armed  
With mortal sting; about her middle round  
A cry of hell-hounds never ceasing barked  
With wide Cerberan mouths full loud, and rung  
A hideous peal; yet, when they list, would creep,  
If aught disturbed their noise, into her womb,  
And kennel there, yet there still barked and howled  
Within unseen."

The image is complete at all points: and, with this exposure, I take my leave of the Crime against Kansas.

II. Emerging from all the blackness of this Crime, in which we seem to have been lost, as in a savage wood, and turning our backs upon it as upon desolation and death, from which while others have suffered, we have escaped, I come now to *The Apologies* which the Crime has found. Sir, well may you start at the suggestion that such a series of wrongs, so clearly proved by various testimony, so openly confessed by the wrong-doers, and so widely recognized throughout the country, should find Apologies. The massacre of St. Bartholomew, which you now instinctively condemn, was, at the time, applauded in high quarters, and even commemorated by a Papal medal, which may still be procured at Rome: as the crime against Kansas, which is hardly less conspicuous in dreadful eminence, has been shielded on this floor by extenuating words, and even by a Presidential message, which, like the Papal medal, can never be forgotten in considering the madness and perversity of men.

Sir, the Crime cannot be denied. The President himself has admitted "illegal and reprehensible" conduct. To such conclusions he was compelled by irresistible evidence; but what he mildly describes I openly arraign. Senators may affect to put it aside by a sneer, or to reason it away by figures; or to explain it by a theory: such as desperate inventions has produced on this floor, that the Assassins and Thugs of Missouri were in reality citizens of Kansas: but all these efforts, so far as made, are only tokens of the weakness of the cause, while to the original

Crime they add another offence of false testimony against innocent and suffering men. But the Apologies for the Crime are worse than the efforts at denial. In cruelty and heartlessness they identify their authors with the great transgression.

They are four in number, and four-fold in character. The first is the *Apology tyrannical*; the second, the *Apology imbecile*; the third, the *Apology absurd*; and the fourth the *Apology infamous*. This is all. Tyranny, imbecility, absurdity, and infamy, all unite to dance like the weird sisters, about this Crime.

The *Apology tyrannical* is founded on the mistaken act of Governor Reeder, in authenticating the usurping Legislature, by which it is asserted that, whatever may have been the actual force or fraud in its election, the people of Kansas are effectually concluded, and the whole proceeding is placed under the formal sanction of law. According to this assumption, complaint is now in vain, and it only remains that Congress should sit and hearken to it, without correcting the wrong, as the ancient tyrant listened and granted no redress to the human moans that issued from the heated brazen bull, which subtle cruelty had devised. This I call the *Apology of technicality inspired tyranny*.

The facts on this head are few and plain. Governor Reeder, after allowing only five days for objections to the returns—a space of time unreasonably brief in that extensive Territory—declared a majority of the members of the Council and of the House of Representatives “duly elected,” withheld certificates from certain others, because of satisfactory proof that they were not duly elected, and appointed a day for new elections to supply these vacancies. Afterwards, by formal message, he recognized the Legislature as a legal body, and when he vetoed their act of adjournment to the neighborhood of Missouri, he did it simply on the ground of the illegality of such an adjournment under the organic law. Now to every assumption founded on these facts, there are two satisfactory replies; *first*, that no certificate of the Governor can do more than authenticate a subsisting legal act, without of itself infusing legality where the essence of legality is not already; and *secondly*, that violence and fraud, wherever disclosed, vitiates completely every proceeding. In denying these principles, you place the certificate above the thing certified, and given a perpetual lease to violence and fraud, merely because at an ephemeral moment they were unquestioned. This will not do.

Sir, I am no apologist for Governor Reeder. There is a sad reason to believe that he went to Kansas originally as the tool of the President; but his simple nature, nurtured in the atmosphere of Pennsylvania, revolted at the service required, and he turned from his patron to duty. Grievously did he err in yielding to the Legislature any act of authentication: but he has in some measure answered for this error by determined efforts since to expose the utter illegality of that body, which he now repudiates entirely. It was said of certain Roman Emperors, who did infinite mischief in their beginnings, and infinite good towards their ends, that they should never have been born or never died: and I would apply the same to the official life of this Kansas Governor. At all events, I dismiss the *Apology* founded on his acts, as the utterance of tyranny

by the voice of law, transcending the declaration of the pedantic judge, in the British Parliament, on the eve of our Revolution, that our fathers, notwithstanding their complaints, were in reality represented in Parliament, inasmuch as their lands, under the original charters, were held “in common socage, as for the manor of Greenwich in Kent,” which, being only represented, carried with it all the Colonies. Thus in other ages has tyranny assumed the voice of law.

Next comes the *Apology imbecile*, which is founded on the alleged want of power in the President to arrest the Crime. It is openly asserted, that, under the existing laws of the United States, the Chief Magistrate had no authority to interfere in Kansas for this purpose. Such is the broad statement, which, even if correct, furnishes no *Apology* for any proposed ratification of the Crime, but which is in reality untrue; and this, I call the *Apology of imbecility*.

In other matters, no such ostentatious imbecility appears. Only lately, a vessel of war in the Pacific has chastised the cannibals of the Fejee islands, for alleged outrages on American citizens. But no person of ordinary intelligence will pretend that American citizens in the Pacific have received wrongs from these cannibals comparable in atrocity to those received by American citizens in Kansas. Ah, sir, the interests of Slavery are not touched by any chastisement of the Fejees!

Constantly we are informed of efforts at New York, through the agency of the Government, and sometimes only on the breath of suspicion, to arrest vessels about to sail on foreign voyages in violation of our neutrality laws or treaty stipulations. Now, no man familiar with these cases will presume to suggest that urgency for there arrests was equal to the urgency for interposition against these successive invasions from Missouri. But the Slave Power is not disturbed by such arrests at New York!

At this moment the President exults in the vigilance with which he has prevented the enlistment of a few soldiers, to be carried off to Halifax, in violation of our territorial sovereignty, and England is bravely threatened, even to the extent of a rupture of diplomatic relations, for her endeavor, though unsuccessful, and at once abandoned. But no man in his senses will urge that the act was anything but trivial by the side of the Crime against Kansas. But the Slave Power is not concerned in this controversy.

Thus where the Slave Power is indifferent, the President will see that the laws are faithfully executed; but, in other cases, where the interests of Slavery are at stake, he is controlled absolutely by this tyranny, ready at all times to do, or not to do, precisely as it dictates. Therefore it is, that Kansas is left a prey to the Propagandists of Slavery, while the whole Treasury, the Army and Navy of the United States, are lavished to hunt a single slave through the streets of Boston. You have not forgotten the latter instance; but I choose to refresh it in your minds.

As long ago as 1851, the War Department and Navy Department concurred in placing the forces of the United States, near Boston, at the command of the Marshal, if needed, for the enforcement of an Act of Congress, which had no support in the public conscience, as I believe it has no support in the Constitution, and thus these forces were degraded to the loathsome work of

slave hunters. More than three years afterwards an occasion arose for their intervention. A fugitive from Virginia, who for some days had trod the streets of Boston as a freeman, was seized as a slave. The whole community was aroused, while Bunker Hill and Faneuil Hall quaked with responsive indignation. Then, sir, the President, anxious that no title of Slavery should suffer, was curiously eager in the enforcement of the statute. The despatches between him and his agents in Boston attest his zeal. Here are some of them.

BOSTON, May 27, 1854.

To THE PRESIDENT OF THE UNITED STATES:

In consequence of an attack upon the Court-house, last night for the purpose of rescuing a fugitive slave, under arrest, and in which one of my own guards was killed, I have availed myself of the resources of the United States placed under my control by letter from the War and Navy departments, in 1831 and now have two companies of Troops, from Fort Independence, stationed in the Court-house. Everything is now quiet. The attack was repulsed by my own guard.

WATSON FREEMAN.

United States Marshal, Boston, Mass.

WASHINGTON, May 27, 1854.

To WATSON FREEMAN,

United States Marshal, Boston, Mass.

Your conduct is approved. The law must be executed.

FRANKLIN PIERCE.

WASHINGTON, May 20 1854.

To HON. B. F. HALLETT, Boston Mass.

What is the state of the case of Burns?

SIDNEY WEBSTER.

[Private Secretary of the President.]

WASHINGTON May, 31, 1854.

To B. F. HALLETT,

United States Attorney, Boston, Mass.

Incure any expense deemed necessary by the Marshal, and yourself, for City Military, or otherwise, to insure the execution of the law.

FRANKLIN PIERCE.

But the President was not content with such forces as were then on hand in the neighborhood. Other posts also were put under requisition. Two companies of National troops, stationed at New York, were kept under arms, ready at any moment to proceed to Boston; and the Adjutant General of the Army was directed to repair to the scene, there to superintend the execution of the statute. All this was done for the sake of Slavery; but during long months of menace suspended over the Free Soil of Kansas, breaking forth in successive invasions, the President has folded his hands in complete listlessness, or if he has moved at all, it has been only to encourage the robber propagandists.

And now the intelligence of the country is insulted by the Apology, that the President had no power to interfere. Why, sir, to make this confession is to confess our Government to be a practical failure—which I will never do, except, indeed, as it is administered now. No, sir; the imbecility of the Chief Magistrate shall not be charged upon our American Institutions. Where there is a will if there is a way; and in his case, had the will existed, there would have been a way, easy and triumphant, to guard against the Crime we now deplore. His powers were in every respect ample; and this I will prove by the statute book. By the Act of Congress of 28th February, 1795, it is enacted, “that whenever the laws of the United States shall be opposed, or the execution thereof obstructed in any State, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals,” the President “may call forth the militia.” By the supplementary act of 2d March, 1807, in all cases where he is authorized to call forth the militia “for the purpose of causing the laws to be duly

executed,” the President is further empowered, in any State or Territory “to employ for the same purposes such part of the land or naval force of the United States as shall be judged necessary.” There is the letter of the law; and you will please to mark the power conferred. In no case where the laws of the United States are opposed, or their execution obstructed, is the President constrained to wait for the requisition of a Governor, or even the petition of a citizen. Just so soon as he learns the fact, no matter by what channel, he is invested by law with full power to counteract it. True it is, that when the laws of a State are obstructed, he can interfere only on the application of the Legislature of such State, or of the Executive, when the Legislature cannot be convened: but when the Federal laws are obstructed, no such preliminary application is necessary. It is his high duty, under his oath of office, to see that they are executed, and, if need be, by the Federal forces.

And, sir, this is the precise exigency that has arisen in Kansas—precisely this; nor more, nor less. The Act of Congress, constituting the very organic law of the Territory, which, in peculiar phrase, as if to avoid ambiguity, declares, as “its true intent and meaning,” that the people thereof “shall be left perfectly free to form and regulate their domestic institutions in their own way,” has been from the beginning opposed and obstructed in its execution. If the President had power to employ the Federal forces in Boston, when he supposed the Fugitive Slave Bill was obstructed, and merely in anticipation of such obstruction, is it absurd to say that he had not power in Kansas, when, in the face of the whole country, the very organic law of the Territory was trampled under foot by successive invasions, and the freedom of the people overthrown. To assert ignorance of this obstruction—premeditated, long-continued, and stretching through months—attributes to him not merely imbecility, but idiocy. And thus do I dispose of this Apology.

Next comes the Apology absurd, which is, indeed, in the nature of a pretext. It is alleged that a small printed pamphlet, containing the “Constitution and Ritual of the Grand Encampment and Regiments of the Kansas Legion,” was taken from the person of one George F. Warren who attempted to avoid detection by chewing it. The oaths and grandiose titles of the pretended Legion have all been set forth, and this poor mummery of a secret society, which existed only on paper, has been gravely introduced on this floor, in order to extenuate the Crime against Kansas. It has been paraded in more than one speech, and even stuffed into the report of the committee.

A part of the obligations assumed by the members of this Legion shows why it has been thus pursued, and also attests its innocence. It is as follows:

“I will never knowingly propose a person of membership in this order who is not in favor of making Kansas a free State, and whom I feel satisfied will exert his entire influence to bring about this result. I will support, maintain, and abide by any honorable movement made by the organization to secure this great end, which will not conflict with the laws of the country and the Constitution of the United States.”

Kansas is to be made a free State, by an honorable movement, which will not conflict with the laws and the Constitution. That is the object of the organization, declared in the very words of the initiatory obligation. Where is the wrong in this? What is there here, which can cast

reproach, or even suspicion, upon the people of Kansas? Grant that the Legion was constituted can you extract from it any Apology for the original Crime, or for its present ratification? Secret societies, with their extravagant oaths, are justly offensive: but who can find, in this mistaken machinery, any excuse for the denial of all rights to the people of Kansas? All this, I say on the supposition that the society was a reality, which it was not. Existing in the fantastic brains of a few persons only, it never had any practical life. It was never organized. The whole tale, with the mode of obtaining the copy of the Constitution, is at once a cock-and-bull story and a mare's nest: trivial as the former: absurd as the latter; and to be dismissed, with the Apology founded upon it, to the derision which triviality and absurdity justly receive.

It only remains, under this head, that I should speak of the Apology *infamous*, founded on false testimony against the Emigrant Aid Company, and assumptions of duty more false than the testimony. Defying Truth and mocking Decency this Apology excels all others in futility and audacity, while, from its utter hollowness, it proves the utter importance of the conspirators to defend their Crime. Falsehood, always *infamous*, in this case arouses peculiar scorn. An association of sincere benevolence, faithful to the Constitution and laws, whose only fortifications are hotels, school-houses, and churches: whose only weapons are saw-mills, tools, and books; whose mission is peace and good will, has been falsely assailed on this floor, and an errand of blameless virtue has been made the pretext for an unpardonable Crime. Nay, more—the innocent are sacrificed, and the guilty set at liberty.—They who seek to do the mission of the Saviour are scourged and crucified, while the murderer, Barabbas, with the sympathy of the chief priests, goes at large.

Were I to take counsel of my own feelings, I should dismiss this whole Apology to the inevitable contempt which it deserves: but it has been made to play such a part in this conspiracy that I feel it a duty to expose it completely.

Sir, from the earliest times, men have recognized the advantages of organization, as an effective agency in promoting works of peace or war. Especially at this moment, there is no interest, public or private, high or low of charity or trade, of luxury or convenience, which does not seek its aid. Men organize to rear churches and to sell thread, to build schools and to sail ships: to construct roads and to manufacture toys; to spin cotton and to print books; to weave cloths and to quicken harvests; to provide food and to distribute light; to influence Public Opinion and to secure votes; to guard infancy in its decrepitude, and womanhood in its wretchedness: and now, in all large towns, when death has come, they are buried by organized societies, and, emigrants to another world, they lie down in pleasant places, adorned by organized skill. To complain that this prevailing principle has been applied to living emigration is to complain of Providence, and the irresistible tendencies implanted in man.

But this application of the principle is no recent invention, brought forth for an existing emergency. It has the best stamp of Antiquity. It showed itself in the brightest days of Greece, where colonists moved in organized bands. It became a part of the mature policy of Rome, where

bodies of men were constituted expressly for this purpose, *triunviri ad colonos deducendos*.—(Livy, xxxvii, § 47). Naturally it has been accepted in modern times by every civilized State. With the sanction of Spain, an association of Genoese merchants first introduced slaves to this continent with the sanction of France, the Society of Jesuits stretched their labors over Canada and the Great Lakes to the Mississippi. It was under the auspices of Emigrant Aid Companies, that our country was originally settled, by the Pilgrim Fathers of Plymouth, by the adventurers of Virginia, and by the philanthropic Oglethorpe, whose "benevolence of soul," commemoaraged by Pope, sought to plant a Free State in Georgia. At this day, such associations, of an humbler character, are found in Europe, with offices in the great capitals, through whose activity emigrants are directed here.

For a long time emigration to the West, from the Northern and Middle States, but particularly from New England, has been of marked significance. In quest of better homes, annually it has passed to the unsettled lands, in numbers to be counted by tens of thousands; but this has been done heretore with little knowledge, and without guide or counsel. Finally, when, by the establishment of a Government in Kansas, the tempting fields of that central region were opened to the competition of peaceful colonization, and especially when it was declared that the question of Freedom or Slavery there was to be determined by the votes of actual settlers, then at once was organization enlisted as an effective agency for quickening and conducting the emigration impelled thither, and, more than all, in providing homes for it on arrival there.

The Company was first constituted under an act of the Legislature of Massachusetts, 4th of May, 1854, some weeks prior to the passage of the Nebraska bill. The original act of incorporation was subsequently abandoned, and a new charter revived in February, 1855, in which the objects of the Society are thus declared:

"For the purpose of directing emigration Westward, and aiding in providing accommodations for the emigrants after arriving at their places of destination."

At any other moment, an association for these purposes would have taken its place, by general consent, among the philanthropic experiments of the age; but Crime is always suspicious, and shakes, like a sick man, merely at the pointing of a finger. The conspirators against Freedom in Kansas now shook with terror, real or affected. Their wicked plot was about to fail. To help themselves they denounced the Emigrant Aid Company, and their denunciations, after finding an echo in the President, have been repeated with much particularity, on this floor, in the formal report of your committee.

The falsehood of the whole accusation will appear in illustrative specimens.

A charter is set out, section by section, which, though originally granted, was subsequently abandoned, and is not in reality the charter of the Company, but it is materially unlike it.

The Company is represented as "a powerful corporation, with a capital of five millions;" when, by its actual charter, it is not allowed to hold property above one million, and in point of fact, its capital has not exceeded \$100,000.

Then, again, it is suggested, if that this enormous capital, which said does not exist,

rifles, in powder and lead, and implements of war"—all of which, whether alleged or suggested, is absolutely false. The officers of the Company authorise me to give to this whole pretension a point-blank denial.

All of these allegations are of small importance, and I mention them only because they show the character of the report, and also something of the quicksand on which the Senator from Illinois has chosen to plant himself. But these are all capped by the unblushing assertion that the proceedings of the company were "in perversion of the plain provisions of an Act of Congress;" and also, another unblushing assertion, "as certain and undeniable," that the Company was formed to promote certain objects, "regardless of the rights and wishes of the people, as guaranteed by the Constitution of the United States, and secured by their organic law;" when it is certain and undeniable that the Company has done nothing in perversion of any Act of Congress, while to the extent of its power it has sought to protect the rights and wishes of the actual people in the Territory.

Sir, this Company has violated in no respect the Constitution or laws of the land; not in the severest letter or the slightest spirit. But every other imputation is equally baseless. It is not true, as the Senator from Illinois has alleged, in order in some way to compromise the Company, that it was informed before the public of the date fixed for the election of the Legislature. This statement is pronounced by the Secretary, in a letter now before me, "an unqualified falsehood, not having even the shadow of a shade of truth for its basis." It is not true that men have been hired by the Company to go to Kansas; for every emigrant, who has gone under its direction, has himself provided the means for his journey. Of course, sir, it is not true, as has been complained by the Senator from South Carolina, with that proclivity to error which marks all his utterances that men have been sent by the Company "with one uniform gun, Sharpe's rifle;" for it has supplied no arms of any kind to anybody. It is not true that the Company has encouraged any fanatical aggression upon the people of Missouri; for it has counseled order, peace, forbearance. It is not true that the Company has chosen its emigrants on account of their political opinions; for it has asked no questions with regard to the opinions of any whom it aids, and at this moment stands ready to forward those from the South as well as the North, while, in the Territory, all, from whatever quarter, are admitted to an equal enjoyment of its tempting advantages. It is not true that the Company has sent persons merely to control elections, and not to remain in the Territory; for its whole action, and all its anticipation of pecuniary profits, are founded on the hope to stock the country with permanent settlers, by whose labor the capital of the Company shall be made to yield its increase, and by whose fixed interest in the soil the welfare of all shall be promoted.

Sir, it has not the honor of being an Abolition Society, or of numbering among its officers Abolitionists. Its President is a retired citizen, of the means and charitable life, who has taken up in the conflicts on Slavery, and has never sympathies to be felt by Abolitionists.

President is a gentleman from [redacted] there, who has

Treasurer, who is now justly absorbed by the object of the Company, has always been understood as ranging with his extensive connections, by blood and marriage on the side of that quietism which submits to all the tyranny of the Slave Power. Its Directors are more conspicuous for wealth and science, than for any activity against Slavery. Among these is an eminent lawyer of Massachusetts, Mr. Chapman—personally known, doubtless, to some who hear me—who has distinguished himself by an austere conservatism, too natural to the atmosphere of courts, which does not flinch even from the support of the Fugitive Slave Bill. In a recent address at a public meeting in Springfield, this gentleman thus speaks for himself and his associates

"I have been a Director of the Society from the first, and have kept myself well informed in regard to its proceedings. I am not aware that any one in this community ever suspected me of being an Abolitionist; but I have been accused of being Pro-Slavery, and I believe many good people think I am quite too conservative on that subject. I take this occasion to say that all the plans and proceedings of the Society have met my approbation; and I assert that it has never done a single act with which any political party, or the people of any section of the country can justly find fault. The name of its President, Mr. Brown, of Providence, and of its Treasurer, Mr. Lawrence, of Boston, are a sufficient guarantee in the estimation of intelligent men against its being engaged in any fanatical enterprise. Its stockholders are composed of men of all political parties except Abolitionists. I am not aware that it has received the patronage of that class of our fellow-citizens, and I am informed that some of them disapprove of its proceedings."

The acts of the Company have been such as might be expected from auspices thus severely carefree at all points. The secret through which small means, it has been able to accomplish so much, is that, as an inducement to emigration, it has gone forward and planted capital in advance of population. According to the old immemorial system, this rule is reversed; and population has been left to grope blindly, without the advantage of fixed centres, with mills, schools, and churches—all calculated to soften the hardships of pioneer life—such as have been established beforehand in Kansas. Here, sir, is the secret of the Emigrant Aid Company. By this single principle, which is now practically applied for the first time in history, and which has the simplicity of genius, a business association at a distance, without a large capital, has become a beneficent instrument of civilization, exercising the functions of various Societies, and in itself being a Missionary Society, a Bible Society, a Tract Society, an Education Society, and a Society for the Diffusion of the Mechanic Arts. I would not claim too much for this Company; but I doubt if, at this moment, there is any Society, which is so completely philanthropic, and since its leading idea, like the light of a candle from which other candles are lighted without number, may be applied indefinitely, it promises to be an important aid to Human Progress. The lesson it teaches cannot be forgotten, and hereafter, wherever unsettled lands exist, intelligent capital will lead the way, anticipating the wants of the pioneer—nay, doing the very work of the original pioneer—while, amidst well-arranged harmonics, a new community will arise, to become, by its example a more eloquent preacher than any solitary missionary. In subordination to this essential idea, is its gambler machinery for the aid of emigrants on their way, by combining parties, so that friends and neighbors might journey together; by purchasing tickets at wholesale, and furnishing them to individuals at the actual cost; by providing for each party a



UNIVERSITY OF ILLINOIS-URBANA



3 0112 051856174